

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIA ANN HUDSON,

Plaintiff,

v.

STATE OF WASHINGTON et al.,

Defendants.

CASE NO. 2:25-cv-00404-TL

ORDER OF DISMISSAL WITH
LEAVE TO AMEND

This case arises from Plaintiff Maria Ann Hudson's claims regarding the alleged sex trafficking of her daughter. *See generally* Dkt. No. 6 (Amended Complaint). This matter is before the Court on its own motion. Having reviewed Plaintiff's Amended Complaint (Dkt. No. 6), the Court finds that Plaintiff fails to state a claim upon which relief may be granted and therefore DISMISSES WITHOUT PREJUDICE Plaintiff's Amended Complaint with leave to file a second amended complaint.

On March 6, 2025, Plaintiff filed an application to proceed *in forma pauperis* ("IFP") in this action. Dkt. No. 1. Plaintiff's application for IFP status was granted, but U.S. Magistrate

1 Judge Brian A. Tsuchida recommended review under 28 U.S.C. § 1915(e)(2)(B). Dkt. No. 4.
 2 Plaintiff's complaint was subsequently filed on the docket (Dkt. No. 5), and she filed the
 3 Amended Complaint on March 31, 2025 (Dkt. No. 6).

4 The Court's authority to grant IFP status derives from 28 U.S.C. § 1915. Per the statute,
 5 the Court must dismiss a case if the IFP Plaintiff fails to state a claim upon which relief may be
 6 granted. *See* 28 U.S.C. § 1915(e)(2)(B)(ii); *see also Lopez v. Smith*, 203 F.3d 1122, 1129 (9th
 7 Cir. 2000) (“[S]ection 1915(e) applies to all *in forma pauperis* complaints, not just those filed by
 8 prisoners”). “The legal standard for dismissing a complaint for failure to state a claim under 28
 9 U.S.C. § 1915(e)(2)(B)(ii) is the same as when ruling on dismissal under Federal Rule of Civil
 10 Procedure 12(b)(6).” *Day v. Florida*, 2014 WL 1412302, at *4 (W.D. Wash. Apr. 10, 2014)
 11 (citing *Lopez*, 203 F.3d at 1129). Rule 12(b)(6) requires courts to assume the truth of factual
 12 allegations and credit all reasonable inferences arising from those allegations. *Sanders v. Brown*,
 13 504 F.3d 903, 910 (9th Cir. 2007). Plaintiff must provide sufficient factual details in the
 14 complaint to “state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550
 15 U.S. 544, 570 (2007). Where a plaintiff proceeds *pro se* (without an attorney), courts must
 16 construe the complaint liberally. *Johnson v. Lucent Techs. Inc.*, 653 F.3d 1000, 1011 (9th Cir.
 17 2011) (citing *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010)). However, a court “should not
 18 supply essential elements of the [*pro se*] claim that were not initially pled.” *E.g., Henderson v.
 19 Anderson*, 2019 WL 3996859, at *1 (W.D. Wash. Aug. 23, 2019) (internal citation and quotation
 20 omitted); *see also Khalid v. Microsoft Corp.*, 409 F. Supp. 3d 1023, 1031 (W.D. Wash. 2019)
 21 (“[C]ourts should not have to serve as advocates for *pro se* litigants.” (quoting *Noll v. Carlson*,
 22 809 F.2d 1446, 1448 (9th Cir. 1987))).

23 Here, Plaintiff's Amended Complaint lacks sufficient factual detail to plausibly state a
 24 claim. Plaintiff specifically asserts federal question jurisdiction under 42 U.S.C. § 1983, which

1 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the
 2 Constitution and [federal laws].” First, Plaintiff claims, without providing any supporting details,
 3 that Defendants “acted in concert, conspiracy and frauds and with malice with other government
 4 agencies to deprive by the anti-literacy Jim Crow school to prison sex trafficking pipeline and
 5 through state and local laws equivalent to each respective corresponding federal statutes, services
 6 and supports including educational case in Washington State educational laws.” Dkt. No. 6 at 5
 7 (cleaned up); *see also id.* at 6, 8–17 (asserting the same against each Defendant). However,
 8 Plaintiff does not provide any factual details as to the alleged conspiracy or fraud committed by
 9 Defendants or the details of what Plaintiff asserts is the “Antiliteracy Jim Crow Sex Trafficking
 10 School to Prison Pipeline” (*see id.* at 18). *See generally* Dkt. No. 6. Without additional factual
 11 details, Plaintiff’s conclusory statements are insufficient to state a claim for relief.

12 To state a plausible claim for relief in federal court, a Plaintiff must “plead[] factual
 13 content that allows the court to draw the reasonable inference that the defendant is liable for the
 14 misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 672 (2009). Thus, “[t]hreadbare recitals of
 15 the elements of a cause of action, supported by mere conclusory statements” are insufficient. *Id.*
 16 Here, Plaintiff primarily lists the statutes¹ she alleges Defendants acted in violation of, without
 17 any description of the facts underpinning those alleged violations. The Court, therefore, FINDS
 18 that Plaintiff fails to state a plausible claim for relief under 42 U.S.C. § 1983. For this reason, the
 19 Court must dismiss Plaintiff’s Amended Complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

20 Courts typically allow *pro se* plaintiffs to amend their complaints in lieu of dismissal.
 21 *Yagman v. Garcetti*, 852 F.3d 859, 867 (9th Cir. 2017). The Court will therefore GRANT Plaintiff
 22 leave to file a second amended complaint in this case that sufficiently “pleads factual content,”
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24 ¹ The Court reminds Plaintiff that a Section 1983 claim must be based on a violation of the Constitution or a federal law, not state laws.

1 *Iqbal*, 556 U.S. at 672, to state a plausible claim for relief. If Plaintiff fails to file a second
2 amended complaint by the deadline or if the second amended complaint fails to state a plausible
3 claim for relief, the Court will dismiss this case in its entirety.

4 Accordingly, this case is DISMISSED without prejudice. However, the Court GRANTS
5 Plaintiff leave to amend her complaint within **30 days** of this Order. Therefore, any amended
6 complaint is due by **July 3, 2025. If Plaintiff fails to file a second amended complaint by July**
7 **3, 2025, her case SHALL be dismissed.**

8 Dated this 3rd day of June 2025.

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11 Tana Lin
12 United States District Judge
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